

## Commodity Credit Corporation, USDA

## § 1439.8

provided an opportunity to submit additional information as requested.

(4) An owner shall be notified in writing of the action taken with respect to a CCC-652 and CCC-651 by the approving official.

[56 FR 33192, July 19, 1991, as amended at 58 FR 62512, Nov. 29, 1993]

### § 1439.7 Adjustment of total benefits available.

(a)(1) The determination of the total benefits available to the owner may be decreased or increased after a determination has been made. The contact person shall notify all other owners which are a party to the CCC-652 and CCC-651 of all changes regarding the application and contract.

(2) If there is an increase or a reduction in the number of the owner's eligible livestock, this fact shall be promptly reported to the approving official. If necessary an adjustment in the owner's additional feed needs and an adjustment in the benefits issued to the owner shall be made. This increase or reduction shall be made by revising the benefits available on the CCC-653 and CCC-651 by the result of multiplying the amount of the change in eligible animals, times the number of days remaining in the feeding period times the cost per day to provide energy requirements for the applicable weight range by type of eligible livestock. After adjusting the benefits available, if applicable, the county office shall notify the contact person of the current total benefits available.

(3) If, due to a change in total benefits available, an excess amount of assistance was provided to the owner, the owner must refund such excess including applicable interest as determined by DASCO.

(b) If additional feed, including pasture, becomes available to the owner from production on any land included in the owner's holdings covered by the contract during a feeding period, this fact shall be promptly reported to the county office and proper adjustments shall be made.

(c) If any decrease in feed production, including pasture, occurs on any land included in the owner's holdings covered by the contract during a feeding period, this fact shall be promptly re-

ported to the county office and proper adjustments shall be made.

### § 1439.8 Disposition of feed.

(a)(1) Feed grain or other livestock feed obtained under this part shall not be exchanged for any ingredients, services, cash, credit, or any other thing of value.

(2) An owner may feed eligible livestock feed to any livestock owned or leased, after a determination has been made that the owner's eligible livestock were the only livestock used in determining the owner's total benefits available.

(b) The total quantity of feed purchased in accordance with this part, for which CCC has provided assistance under contract with the owner, must be fed to the owner's livestock within the feeding period. The county committee may consider livestock feed as having been fed within the feeding period if the county committee determines that failure to timely feed the livestock feed was due to conditions beyond the control of the owner. The amount of livestock feed remaining which may be considered as being timely fed shall not exceed a 10-day supply of feed for the owner's eligible livestock.

(c)(1) If the owner does not feed the feed grain or other livestock feed as provided in paragraphs (a) and (b) of this section, with respect to the unfed amount the owner shall pay to CCC the following amounts plus any applicable interest, as determined by CCC:

(i) With respect to purchased CCC-owned feed grain, the difference between the price paid for such feed grain and the Posted County Price (PCP) used to determine the dollar amount paid by the owner thereof, or such other value as determined by CCC, based on the price of such feed grain in the county where the feed grain was stored; and

(ii) With respect to cost-share assistance, the amount of assistance received; and

(iii) With respect to CCC-owned feed grain donated to the owner, the rate equal to the PCP of the feed grain in the county where the grain was stored, on the date the feed grain was made available to the livestock owner.